

Michigan Department of Consumer and Industry Services

Agency Report to the Joint Committee on Administrative Rules

Rev. 9/99

Rule: MORTUARY SCIENCE RULES
Agency: Bureau of Commercial Services

1. Name, address, FAX and phone numbers of agency contact person:

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2. Purpose for the proposed rules and background:

Current rules include detailed lists of academic courses which must be completed in order to meet the educational requirements for licensure. Since these lists were developed prior to current educational program developments by mortuary science educational institutions, they are in most cases duplicative and restrictive. The American Board of Funeral Service Education has published accreditation standards which cover the basic requirements for mortuary science educational programs, and the department contends that it is within the purview of academic institutions to define course work and any pre-requisites they deem necessary for completion of their programs, and for compliance with national accreditation standards. Furthermore, the specificity of course lists can be counter-productive in delaying or preventing individuals who have bachelors degrees from being licensed if they are missing a particular course or courses as defined in current rules, even though they have equivalent course work through their degree program.

Current rules also require multiple reports from resident trainees who are completing an internship/clinical program as part of their training prior to licensure. The frequency and numbers of these reports has proven to be burdensome to trainees, as well as creating a huge backlog of administrative processing for the department. A change to this rule would be beneficial to all parties, so long as the training requirements were still met. Also, the current rules impose a 45-day deadline for persons applying to take the state and national licensing examination. Since such a lengthy advance notice is no longer necessary, and the department can easily accommodate later applicants, the rule should be rescinded.

3. Summary of proposed rules:

The purpose of the rule amendments is to adopt updated accreditation standards for mortuary science education, and to delete duplicative academic requirements. A transitional period during which current educational requirements will be accepted is included, but the amended rules will defer to the institutions of higher learning in developing the training programs. The new rules accept a bachelor's degree as having met the educational requirements; removes the no-longer necessary 45-day deadline for applying to take the licensing examination, and consolidates the number and frequency of reports from resident trainees, while still retaining the necessary training activities. The rules add a requirement for a course in cultural, ethnic and religious studies to enable funeral service licensees to better serve the public through an understanding of different religious or cultural traditions.

4. Name and date of publication in newspapers (minimum 3):

Marquette Mining Journal: February 14, 2001.

Muskegon Chronicle: February 16, 2001.

Oakland Press: February 20, 2001.

5. Time, date, location and duration of public hearing:

March 22, 2001 at the Department of Consumer & Industry Services, Bureau of Commercial Services, 2501 Woodlake Circle, Okemos Michigan. The hearing was held in conjunction with the regularly scheduled meeting of the Board of Mortuary Science Examiners in order to give members of the public the opportunity to present their concerns to the full board. The hearing was opened at 10:00 a.m. and was adjourned at noon.

6. Date of publication of rules, public hearing notice and Small Business Economic Impact Statement (SBEIS) in *Michigan Register*:

February 16, 2001 edition of the *Michigan Register*. Also published on the Internet at <http://www.state.mi.us/orr>. Printed copies of the rules were sent to the Michigan Funeral Directors Association, Wayne State University College of Pharmacy and Allied Health Professions, and other national industry associations, and were also made available upon request via electronic transmission or by direct mail.

7. Agency persons attending hearing (include agency name and title of position):

Board of Examiners in Mortuary Science: Chris A. Anderson, Mary Lou Case, Kevin B. Curtin, Harold Doll, Alvin J. Foster. Gene McGraw, Patrick C. Orbarzanek, and Samuel Smith. Suzanne Jolicoeur, Licensing Administrator; Sarah Rock, Secretary; Nancy Dixon, Licensing Division policy staff; Norene Lind, Office of Policy and Legislative Affairs, CIS.

8. Names, organizations and (complete) addresses of persons attending the hearing:

Peter D. Frade, PhD. Chairperson, Dept of Mortuary Science. Wayne State University College of Pharmacy & Allied Health Professions, 5439 Woodward Avenue, Detroit MI 48202.

Michael A. Wilk, Jurkiewicz & Wilk Funeral Home 2396 Canfield, Hamtramck MI 48212.

John Peelstra, 802 Main Street St. Joseph MI 49085. Mary Ralston, 1132 Pearl Street, St. Joseph MI 49085. Thomas E. Zaremba, 7343 Wiegand St., Center Line MI 48015. Robert C. Huuton, 5309 Tubbs Road, Waterford MI 48327. E. David Ladd, Wayne State University, College of Pharmacy & Allied Health Professions, 5439 Woodward Ave. Detroit MI 48202.

9. Persons submitting letters, comments and testimony of support:

Roger L. Sharp, Sharp Funeral Homes, P. O. Box 69. Swartz Creek MI 48473.

Martin Hollenback. President, Michigan Funeral Directors Association.

10. Persons submitting letters, comments and testimony of opposition:

Peter D. Frade, PhD., Department of Mortuary Science, Wayne State University College of Pharmacy and Allied Health Professions, 5439 Woodward Ave. Detroit MI 48202; Michael Kelly Martin, Martin Funeral Home, P. O. Box 248, North Branch MI 48461-0248. Robert C. Huntoon, Huntoon Funeral Home, Inc. 79 Oakland Ave. Pontiac MI 48342 [Mr. Huntoon is also a faculty member at Wayne State University Department of Mortuary Science.]

11. Summary on suggestions to modify proposed rules:

Objections to the rules were based on the concern that if the Department eliminated the list of specific required courses for pre-licensure education that the standards for entry into the profession would be lessened, or that the mortuary science programs would be forced to devote large portions of the academic program in remedial work. It was also feared that out-of-state applicants would not have to meet the same standards as Michigan applicants.

The board held over the rules for 60 days until the next board meeting to review the comments and concerns expressed by persons at the public hearing and through correspondence. It remains the contention of the board that the elimination of specific course lists in no way impinges on the ability of academic institutions to establish program criteria and pre-requisite course requirements for their programs. Furthermore, out-of-state applicants will still have to meet equivalent educational standards, including passing of the national examination which will address established requirements for practice. It was the decision of the board to proceed with the rule amendments as proposed, since they felt that the objections were largely the result of misunderstanding of the actual impact of this particular rule. Other rule changes met no opposition.

Name of person completing this report:

Print: Nancy A. Dixon

Signature: _____

Date: June 15, 2001